

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-x

MARYA J. LEBER, and all others similarly  
situated,

ECF Case

Plaintiffs,

-against-

07 Civ. 9329 (SHS)

CITIGROUP, INC., THE PLANS ADMINISTRATIVE  
COMMITTEE OF CITIGROUP INC., THE 401(k)  
PLAN INVESTMENT COMMITTEE and DOE  
DEFENDANTS 1-20,

Defendants.

-x

**MOTION TO ADMIT COUNSEL PRO HAC VICE**

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the  
Southern and Eastern Districts of New York, I, David S. Preminger, a member in good standing  
of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of J.  
Brian McTigue, McTigue & Porter LLP, 5301 Wisconsin Ave., NW, Washington, DC, 20015,  
(phone) (202) 364-6900, (fax) (202) 364-9960, jmctigue@mctiguelaw.com.

J. Brian McTigue is a member in good standing of the Bars of the District of Columbia  
and the State of California. There are no pending disciplinary proceedings against J. Brian  
McTigue in any State or Federal Court.

Dated: New York, NY  
November 17, 2007

Respectfully submitted:  
Rosen Preminger & Bloom LLP

By:

David S. Preminger (DP-1057)  
708 Third Avenue, Suite 1600  
New York, NY 10019  
Telephone: (212) 682-1900  
Facsimile: (212) 867-6878

NOV 20 2007

40-925-633443

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SOUTHERN DISTRICT OF NEW YORK

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Defendants.

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**DECLARATION OF DAVID S. PREMINGER  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

David S. Preminger declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the firm of Rosen Preminger & Bloom LLP, co-counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit J. Brian McTigue as counsel pro hac vice to represent Plaintiffs in this matter.

2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law on March 12, 1973. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. While I have not yet met J. Brian McTigue, I am familiar with his practice. We have both been involved in complex ERISA class action litigation representing plaintiffs and Mr. McTigue is currently admitted pro hac vice in two other cases on which we are working together

in the Southern District of New York: *Young v. General Motors Investment Corp.*, 07 Civ. 1994 (BSJ); and *Brewer v. General Motors Investment Management Corp.*, 07 CV 2928 (LAK).

4. Mr. McTigue is a member of McTigue & Porter LLP in Washington, DC.

5. I have found Mr. McTigue to be a skilled attorney and a person of integrity as attested to by the certificates of good standing attached as Exhibit 1. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of J. Brian McTigue, pro hac vice.

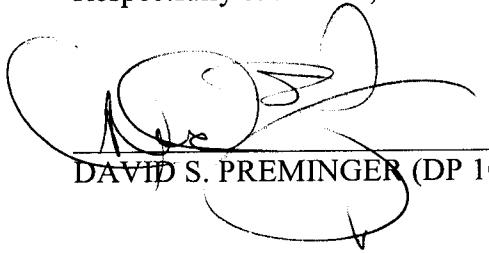
7. I respectfully submit a proposed order granting the admission of J. Brian McTigue, pro hac vice, which is attached as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit J. Brian McTigue, pro hac vice, to represent Plaintiffs in the above captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 17, 2007 in New York, New York

Respectfully submitted,



DAVID S. PREMINGER (DP 1057)



THE  
STATE BAR  
OF CALIFORNIA

180 HOWARD STREET  
SAN FRANCISCO, CALIFORNIA 94105-1639  
TELEPHONE (415) 538-2000

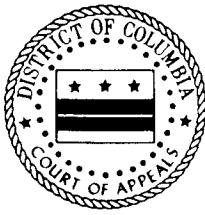
October 26, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JAMES BRIAN MCTIGUE, #087224 was admitted to the practice of law in this state by the Supreme Court of California on July 18, 1979; that from the date of admission to May 6, 1986, he was an ACTIVE member of the State Bar of California; that on May 6, 1986, he transferred at his request to the INACTIVE status as of January 1, 1986; that from that date to July 6, 1987, he was an INACTIVE member of the State Bar of California; that on July 6, 1987, he transferred at his request to the ACTIVE status; that from that date to March 3, 1995, he was an ACTIVE member of the State Bar of California; that on March 3, 1995, he transferred at his request to the INACTIVE status as of January 1, 1995; that from that date to June 9, 1997, he was an INACTIVE member of the State Bar of California; that on June 9, 1997, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

  
Kath Lambert  
Custodian of Membership Records



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D.C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

JAMES BRIAN MCTIGUE

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was on the 11<sup>th</sup> day of JANUARY, 2002

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on November 5, 2007.

GARLAND PINKSTON, JR., CLERK

By: *G. Pinkston*  
Deputy Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARYA J. LEBER, and all others similarly situated,

## ECF Case

Plaintiffs,

-against-

07 Civ. 9329 (SHS)

CITIGROUP, INC., THE PLANS ADMINISTRATIVE COMMITTEE OF CITIGROUP INC., THE 401(k) PLAN INVESTMENT COMMITTEE and DOE DEFENDANTS 1-20,

## Defendants.

**ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of David S. Preminger, co-counsel for Plaintiffs, and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED that J. Brian McTigue, McTigue & Porter LLP, 5301 Wisconsin Ave., NW, Washington, DC, 20015, (phone) (202) 364-6900, (fax) (202) 364-9960, jmctigue@mctiguelaw.com, is admitted to practice pro hac vice as counsel for Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

So Ordered: New York, NY  
, 2007

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UNITED STATES DISTRICT/MAGISTRATE JUDGE

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**CERTIFICATE OF SERVICE**

I, Veronica Scanlon, hereby certify that on the date set forth below, a copy of the foregoing Motion to Admit Counsel Pro Hac Vice and Supporting Papers was served on Julie D. Nelson, Esq., Citigroup, Inc., 153 East 53rd Street. New York, NY 10043, attorneys for defendants Citigroup, Inc., The Plan Administrative Committee of Citigroup, Inc. and The 401(k) Plan Investment Committee, by first class mail.

Dated: New York, NY  
November 19, 2007

  
VERONICA SCANLON